

Companion measures; introducers, fiscal notes, Order of Business and Calendar

3.11—Companion measures

Whenever any Senate bill shall be reached on the calendar of the Senate for consideration, either on second or third reading, and there shall be also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote, provided the House measure is on the same reading; otherwise, the motion shall be to waive the rules by two-thirds (2/3) vote and take up and read such House measure. A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, then the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the Calendar.

3.12—Introducers of bills

Bills shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original thereof, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original thereof. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original thereof. The general appropriations bill shall always be introduced by the Committee on Ways and Means.

3.13—Fiscal notes

All general bills or joint resolutions affecting revenues, expenditures or fiscal liability shall be accompanied by a fiscal note upon being favorably reported by the Committee on Ways and Means. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures and the present and future fiscal implications of the bill or joint resolution. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

The staff of the Committee on Ways and Means shall be responsible for preparing fiscal notes and shall solicit the cooperation of appropriate state agencies for necessary data.

Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate in the same manner as printed bills.

In the event that any bill or joint resolution affecting revenues, expenditures, or fiscal liability is reported favorably by the Committee on Ways and Means without a fiscal note, it shall be the right of any Senator to raise a point of order on second reading and the President shall order return of the bill or joint resolution to the Committee on Ways and Means. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule adopted from time to time by

Quorum, daily order, Committee of Whole

the Committee on Rules and Calendar and approved by the President, which shall set forth hours of convening and adjournment.

4.2—Quorum

A majority of the Senate shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. Any Senator at any time may question the existence of a quorum.

4.3—Daily order of business

The daily order of business shall be as follows:

1. Roll call
2. Prayer
3. Reports of committees
4. Motions relating to committee reference
5. Messages from the Governor and other executive communications
6. Messages from the House of Representatives
7. Matters on reconsideration
8. Special Order as determined by the Committee on Rules and Calendar
9. Consideration of bills on third reading
10. Consideration of bills on second reading
11. Correction and approval of Journal

The Secretary of the Senate shall prepare and cause to be distributed, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

Certain messages from the House of Representatives may be withheld from the daily order of business pursuant to Rule 1.18 or upon order of the President.

On the first legislative day of each week the Daily Order of Business shall include, after prayer, the Pledge of Allegiance to the Flag of the United States of America.

At 8:30 a.m. every legislative day, the President or President Pro Tempore or member of the Senate designated by the presiding officer shall call the Senate to order for the sole purpose of conducting the order of business of "Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions". During this period, the chairman of the Committee on Rules and Calendar or his designate from such Committee and the minority leader or his designate from his party shall attend. A list of the bills, reflecting the number and title of each, and the referencing thereof, shall be delivered to each Senator no later than noon of the day of such referencing. The adoption of this rule shall constitute a waiver of so much of article III, section 7 of the Constitution of the State of Florida as pertains to the first reading of a bill.

Reports of committees of conference shall, except when the Senate is voting on any proposition, always be in order.

4.4—Committee of Whole

The Senate may, by a majority vote of all Senators present, resolve itself into a Committee of the Whole which, when thus constituted, may consider any

Conference committee report; bills — reference generally, introduction after 18th day

question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Rules of the Senate applicable to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of the members present, upon any bill or question not formally introduced in the Senate and any bill upon which all standing committees of reference have rendered a favorable report. A bill upon which committee action has been taken by the committee or committees of reference or upon which an unfavorable committee report has been filed may be taken up and considered only upon two-thirds (2/3) vote of the Senators present, which vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the Constitution, receive no further reference to committee. A favorable report by a Committee of the Whole upon a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted upon as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the page and line shall be entered on separate paper by the Secretary, who shall be Secretary of the Committee of the Whole, and the same shall be agreed to by the Committee, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference Committee Report

The report of any committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and upon the completion of the second reading the vote shall be upon the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session the report shall be read only once.

The report must be acted upon as a whole, being adopted or rejected, and there shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

4.6—Reference generally; final day for introduction of bills

All bills, including those which are strictly local in nature and those prefiled in accordance with these Rules, shall be referred by the President to appropriate committees or standing subcommittees thereof. The President may refer a bill introduced by a standing committee to the Calendar. In the event the President has not previously designated a standing subcommittee of reference, the chairman of the standing committee shall promptly determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by such chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for such consideration. If such subreference is to a standing subcommittee, the

**Bills: Reference — multiple, Ways and Means;
claim bills**

chairman of the standing committee shall promptly report such reference and the time allowed for such consideration to the Secretary of the Senate on forms provided for such purpose. The reference of a bill which is local in nature shall be to the Committee on Rules and Calendar for the sole purpose of determining whether such measure is in fact and function local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the state and affects no more than one county. Upon the determination by the Committee on Rules and Calendar that a bill is in fact and law a local bill, it shall forthwith be reported and referred to the calendar on local bills.

Senate general bills and joint resolutions, except for the general appropriations bill, filed for introduction after the eighteenth (18th) day of the regular session shall be referenced, but delivery thereof shall be withheld from the committee or committees of reference until after adjournment sine die of such session. The Secretary shall not assign a current session number to such bills but shall otherwise number same so as to provide identity and control until a permanent number for the next ensuing regular session be affixed. The bills and joint resolutions affected hereby shall be known as prefiled bills and considered in accordance with these Rules. A motion to waive this rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill or joint resolution notwithstanding this rule, which recommendation must be reported back to the Senate not later than the next legislative day.

4.7—Reference to more than one committee; effect

In case of multiple reference of a bill, said bill shall be considered by each committee separately in the order in which the multiple reference is made, but if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except on two-thirds (2/3) vote of the membership of the Senate. If a committee reports a committee substitute favorably, other committee consideration shall be directed to the substitute and not to the original.

4.8—Reference to Ways and Means Committee; claim bills

All bills authorizing, carrying, requiring or materially affecting appropriations, shall be referred to the Committee on Ways and Means. All bills substantially affecting tax revenue so as to increase, decrease, alter, impose, remove a tax, or alter the disposition, distribution, or collection thereof, shall be referred to the Committee on Ways and Means. A bill not referred to the Committee on Ways and Means by operation hereof, but which is subsequently amended so as to reasonably respond to criteria enunciated herein shall forthwith be referred to the Committee on Ways and Means.

Claim bills shall be first referred to a Senate Special Master on Claims who shall expediently conduct a hearing in accordance with the Rules of the Senate having the strictest requirement of notice. Such Special Master shall administer an oath to all witnesses, preserve a recording of proceedings (but withhold the transcription thereof until ordered to transcribe by the President) and prepare a final report containing his recommendations based on findings of fact and conclusions of law. The report shall be signed by the Master who shall be available to report orally to committees or the Senate. Upon receipt of the Master's report and recommendation the President shall refer each claim bill

**Reference — Different committee or removal;
readings of measures, referral or postponement on 3rd reading**

with the report attached to an appropriate standing committee, the provisions of the first paragraph of this Rule to the contrary notwithstanding.

4.9—Reference of resolutions

All resolutions shall be referred by the President to a standing committee, except that resolutions on Senate organization and of condolence and commemoration, or concurrent resolutions recalling a bill from the Governor's office, may be taken up upon motion and adopted at time of introduction without reference.

4.10—Reference to different committee or removal

When the President has referred a bill, any Senator may, no later than under the Order of Business of "Motions Relating to Committee Reference" on the next succeeding legislative day on which the Senate meets, move for reference to a different committee or for removal from any committee, which motion may be adopted by a two-thirds (2/3) vote.

4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When the reading of a paper other than one upon which the Senate is called to give a final vote is demanded, and the same is objected to by any Senator, it shall be determined by a majority vote of the Senate.

4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote upon final passage unless two-thirds (2/3) of the Senators present decide otherwise. (Constitution: Article III, Section 7—"Any bill may originate in either house and after passage in one may be amended in the other. It shall be read in each House on three separate days, unless this rule is waived by two-thirds vote. On each reading, it shall be read by title only, unless one-third of the members present desire it read in full. On final passage, the vote of each member voting shall be entered on the Journal. Passage of a bill shall require a majority vote in each House. Each bill and joint resolution passed in both houses shall be signed by the presiding officers of the respective houses and by the Secretary of the Senate and the Clerk of the House of Representatives during the session or as soon as practicable after its adjournment sine die.")

4.13—Reading of concurrent resolutions and memorials

Each concurrent resolution or memorial shall receive two (2) readings on two (2) separate days previous to a voice vote upon adoption, unless two-thirds (2/3) of the Senators present decide otherwise. If the reading on the second day be dispensed with by this waiver, then the concurrent resolution or memorial may be read the second time by title only.

4.14—Reading of Senate resolutions

Each Senate resolution shall be read by title only upon introduction. Each Senate resolution shall be read an additional time in full before the question is put on adoption by voice vote.

4.15—Referral or postponement on third reading

Upon the third reading of any bill or joint resolution, it shall not be committed

Consideration out of order; special order, consent, local calendars; engrossing

(save to the Committee on Ways and Means) or amended, except a corrective or title amendment, without consent of two-thirds (2/3) of the Senators voting, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those voting.

4.16—Consideration out of regular order

A bill may be considered out of its regular order on the calendar upon unanimous consent obtained in the following manner: The Senator moving the Senate for such unanimous consent shall have, prior to the entertainment of such motion, orally given the membership not less than fifteen (15) minutes' notice of his intention to so move, which said notice shall specify the number of the bill or joint resolution and its position on the calendar. The moving Senator shall be allowed one (1) minute upon entertainment of such motion to explain his purpose, and unanimous consent shall then be given or refused without further debate.

4.17—Special Order Calendar, Consent Calendar

Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension thereof directed by the membership of the legislature as permitted under the Constitution, the Committee on Rules and Calendar shall on each day submit a Special Order Calendar determining the priority for consideration of bills. Each Special Order Calendar so submitted shall be for the next legislative day. No other bills shall be considered until this Special Order Calendar for the day set forth has been completed by the Senate, except that any bill appearing on this calendar may be stricken therefrom by a two-thirds (2/3) vote of the Senators present or any bill appearing on the general calendar of bills on second or third reading may be added to the end of such Special Order Calendar by the same vote. All bills set as special order for consideration at the same hour shall take precedence in the order in which they were given preference.

A vote of two-thirds (2/3) of the Senators present shall be required to establish a Special Order except as provided in this Rule.

The Committee on Rules and Calendar, with the approval of the President, may submit a consent bill calendar to be held in conjunction with the Special Order Calendar. When such a day be designated, all bills appearing on the consent calendar shall be considered in their order of appearance, provided, however, that an objection by any member shall cause such bill to be temporarily passed, retaining its order on the regular calendar. A Senator may designate only a bill which he sponsors or a House bill for the consent calendar. A committee chairman may designate a committee bill sponsored by his committee. All consent calendar bills must have appeared on the printed Senate calendar.

4.18—Calendar of local bills

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be taken up and considered only at such time as shall be determined by the President.

4.19—Order after second reading

The order of disposition of any bill which has been read the second time shall be its reference to the engrossing clerk to be engrossed after all questions

relative to it while on a second reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third reading to be taken up on some succeeding legislative day, unless otherwise ordered by a two-thirds (2/3) vote of those present. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third reading when it has been read a second time on a previous day and no motion left pending. Bills calendared for second or third reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

4.20—Enrolling

The Secretary of the Senate shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary, and the fact of such signing shall be noted in the Journal.

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a vote by showing of hands, the President shall take the sense of the Senate by yeas and nays or electrical roll call. When taking yeas and nays on any question, the electrical roll call system may be used, and when so used shall have the force and effect of a roll call taken as provided in these Rules. This system likewise may be used to determine the presence of a quorum. When the Senate is ready to vote upon a question requiring roll call, and the vote is by electrical roll call, the President shall state: "The Secretary will unlock the machine and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the machine and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter upon the Journal the result in the manner provided by these Rules. In all cases where the Senate shall be equally divided, the question shall be lost.

5.2—Change of vote

After the result of the vote has been announced by the President, a Senator with unanimous consent may change his vote or vote on the measure except that no such change of vote or vote shall be valid where such vote would alter the final passage of the measure until the measure shall first have been recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk throughout the session. If no objections are raised before the close of business that day, requests will be accepted.

The original roll call shall not be altered but late votes and change of votes shall be recorded under the original roll call in the Journal. Upon request of a